

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF OKLAHOMA**

CRAIG PC SALES & SERVICES, LLC, et al.,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	Case No. CIV-17-3-J
	)	
CDW GOVERNMENT, LLC, et al.,	)	
	)	
Defendants.	)	

**ORDER**

Before the Court is Defendant CDW Government, LLC’s Motion for Summary Judgment (Motion). [Doc. No. 232]. Plaintiffs have responded (Response) and Defendant has replied. [Doc. Nos. 244, 259].

It is undisputed that Plaintiffs received a cease-and-desist letter from Microsoft in 2009. Motion at 8, ¶ 6; Response at 6, ¶¶ 2, 3, 6. The statute of limitations for tort claims is two years. Okla. Stat. tit. 12, § 95(A)(3). The Court requests additional briefing on whether the two-year statute of limitations began to run with Plaintiffs’ receipt of the 2009 letter.

Additionally, the Court requests additional briefing on whether the two-year statute of limitations began to run when Plaintiffs’ “clients were canceling and not renewing their contracts with [Plaintiffs] because of the FBI investigations at the schools in 2009 and 2010.” Motion at 23; *see also* Defendant’s Appendix to its Motion, Ex. 16 [Doc. No. 233-16] at 24:14-17 (“I believe, after we decided, I called [Plaintiffs] and told him, ‘Because of this investigation, that we’re no longer going to be doing business with you.’”).

Finally, though Defendant moved for summary judgment based on a statute of limitations argument only with respect to Plaintiffs’ intentional interference with contractual relations and/or prospective economic advantage claim, Motion at 21-24, the Court is considering whether the

statute of limitations argument is applicable to all tort claims against Defendant. Accordingly, both sides shall submit supplemental briefing to the Court on these matters. *See* Fed. R. Civ. P. 56(f).

Defendant shall submit its brief no later than September 23, 2021; Plaintiffs shall respond within 14 days thereafter. Neither brief may exceed 15 pages.<sup>1</sup>

IT IS SO ORDERED this 9<sup>th</sup> day of September, 2021.



BERNARD M. JONES  
UNITED STATES DISTRICT JUDGE

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<sup>1</sup> In the pleadings currently before the Court, some exhibit numbers are incorrectly referenced and some exhibits are missing referenced pages. The Court cautions the parties to carefully proof their briefs prior to filing.